

Exhibit 1

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MARIANNA ZHAO,
*on behalf of herself, FLSA Collective Plaintiffs, and
the Class,*

Plaintiff,

Case No.: 1:22-cv-07314

v.

SURGE PRIVATE EQUITY LLC,
d/b/a SURGE PRIVATE EQUITY
HIPPODROME SERVICES CORP.
d/b/a HIPPODROME SERVICES
HIPPODROME LLC,
d/b/a HIPPODROME SERVICES LLC
and DOUGLAS KOPELMAN,

**[PROPOSED] ORDER
GRANTING CONDITIONAL
COLLECTIVE CERTIFICATION
PURSUANT TO 29 U.S.C. 216(b)**

Defendants.

It is hereby ORDERED as follows:

- (1) The Court grants conditional certification of the FLSA claims as a representative collective action pursuant to 29 U.S.C. § 216(b) on all current and former non-exempt employees (such as dry cleaners, pressers, packers, laundry workers, linen section workers, and ironing workers, among others) employed by Defendants' SURGE PRIVATE EQUITY LLC, d/b/a SURGE PRIVATE EQUITY, HIPPODROME SERVICES CORP. d/b/a HIPPODROME SERVICES, HIPPODROME LLC, d/b/a HIPPODROME SERVICES LLC, and DOUGLAS KOPELMAN on or after the date that is six (6) years before the filing of the Complaint.
- (2) The Court approves the distribution of the notice of this FLSA action to Covered Employees, and including a consent form (or opt-in form) as authorized by the FLSA.
- (3) The Court approves the proposed FLSA notice of this action and the consent form, attached as **EXHIBIT A** to the Declaration of C.K. Lee, Esq.

(4) The Court approves the consent forms of opt-in plaintiffs to be sent directly to Plaintiffs' counsel.

(5) Within 10 days of this Order, Defendants are to produce in Excel format the names, social security numbers, titles, compensation rates, dates of employment, last known mailing addresses, email addresses and all known telephone numbers of all Covered Employees.

(6) The Court approves the posting of the notice, along with the consent forms, in Defendants' places of business where Covered Employees are employed, by Plaintiff's counsel at any time during regular business hours.

(7) The Court approves equitable tolling of the FLSA statute of limitations until such time that Plaintiff is able to send notice to potential opt-in plaintiffs.

SO ORDERED

Hon. Katherine Polk Failla, U.S.D.J.

Dated